

GREENBERG TRAURIG, LLP
200 Park Avenue
Florham Park, New Jersey 07932
(973) 360-7900
(973) 301-8410 (fax)
Philip R. Sellinger
Todd L. Schleifstein

Attorneys for Defendants
Cellco Partnership d/b/a Verizon Wireless,
Ryan Broomes, Jorge Velez, Anthony Fiocco,
and Bruno Pavlicek

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN TOUCH CONCEPTS, INC., d/b/a ZCOM,

12 Civ. 542 (PGS) (TJB)

Plaintiff,

- against -

CELLCO PARTNERSHIP d/b/a VERIZON
WIRELESS, *et al.*,

Defendants.

NOTICE OF MOTION

Oral Argument Requested

TO: Michael W. Kennedy, Esq.
THE LAW FIRM OF RAVI BATRA
The Batra Building
142 Lexington Avenue
New York, New York 10016
Attorneys for Plaintiff

Leonard F. Lesser, Esq.
SIMON LESSER PC
420 Lexington Avenue
New York, New York 10170
Attorneys for Defendants
Shelly Bhumitra and
Poonam Sawhney

ARTHUR RUSSELL, ESQ.
661 Franklin Avenue
Nutley, New Jersey 07110
Attorney for Defendant
Ajay Bhumitra

Jeremy D. Frey, Esq.
PEPPER HAMILTON LLP
3000 Two Logan Square
18th & Arch Streets
Philadelphia, Pennsylvania 19103
Attorneys for Defendant
Thomas Varghese

PLEASE TAKE NOTICE that, on September 4, 2012, defendants Cellco Partnership d/b/a Verizon Wireless, Ryan Broomes, Jorge Valez, Anthony Fiocco and Bruno Pavlicek (collectively, the “VZW Defendants”) shall move before the Honorable Peter G. Sheridan at the United States District Court for the District of New Jersey, Clarkson S. Fisher Building and U.S. Courthouse, Courtroom 7W, Trenton, New Jersey 08608, for an order, pursuant to Fed. R. Civ. P. 12(b)(6), dismissing the First Amended Complaint of Plaintiff In Touch Concepts, Inc., d/b/a/ZCom for failure to state a claim upon which relief can be granted.

PLEASE TAKE FURTHER NOTICE that in support of their motion, the VZW Defendants will rely upon the Brief submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 78.1(b), the VZW Defendants request oral argument on their motion.

/s/ Philip R. Sellinger
Philip R. Sellinger
GREENBERG TRAURIG, LLP
200 Park Avenue
Florham Park, New Jersey 07932
Telephone: (973) 360-7900
Facsimile: (973) 301-8410

Attorneys for Defendants
Cellco Partnership d/b/a Verizon Wireless,
Ryan Broomes, Jorge Velez, Anthony Fiocco,
and Bruno Pavlicek

Dated: June 22, 2012